



22852

PATENT TRADEMARK OFFICE

1636  
PATENT  
Attorney Docket No. 03804.0118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Martine BARKATS *et al.*

Serial No.: 08/765,026

C.P.A. Filed: January 29, 2001

For: ADENOVIRUS INCLUDING A  
GENE CODING FOR A  
SUPEROXIDE DISMUTASE

)  
)  
)  
) Group Art Unit: 1636

)  
) Examiner: D. Guzo

#34/E  
3 ita  
9-24-02

RECEIVED

SEP 19 2002

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**AMENDMENT AND**  
**REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111**

In reply to the Office Action mailed on April 17, 2002, Applicants submit the following amendment and remarks. By virtue of the concurrently-filed Petition for a Two-Month Extension of Time and appropriate fee, this Request for Reconsideration is due by September 17, 2002, and is timely filed.

**AMENDMENT**

**IN THE CLAIMS:**

Please insert new claim 83 as follows:

-- 83. The method of treatment according to claim 66, wherein the adenovirus comprises ITR sequences and an encapsidation sequence, and wherein the adenovirus E1 gene is non-functional and at least one of the adenovirus E4 or L1-L5 genes is non-functional. --

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

~~09/10/2002 ADMMH 00000124 00765026~~

~~01-FC-116~~

~~100.00-00~~